

[Counsel Listed on Signature Pages]

**FILED**

**NOV - 7 2007**

**RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND**

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION**

**In re JDS UNIPHASE CORPORATION  
SECURITIES LITIGATION**

**Master File No. C-02-1486 CW (EDL)**

**This Document Relates To: All Actions**

**STIPULATION, ~~PROPOSED~~  
ORDER AND JOINT SUBMISSION  
REGARDING TRIAL EXHIBITS  
ADMITTED NOVEMBER 1, 2,  
AND 5, 2007**

**STIPULATION AND ~~PROPOSED~~ ORDER RE TRIAL EXHIBITS ADMITTED NOVEMBER 1, 2, AND 5, 2007  
MASTER FILE NO. C-02-1486 CW (EDL)**

**sf-2417863**

1 Pursuant to the Court's instructions, and to facilitate the admission of evidence in an  
2 efficient manner, the parties submit this stipulation and proposed order regarding the exhibits  
3 admitted into evidence at trial on November 1, 2, and 5, 2007.

4 WHEREAS, the parties moved the Court to admit several exhibits into evidence on  
5 November 1, 2, and 5, 2007;

6 WHEREAS, the parties met and conferred regarding the admissibility of these exhibits;

7 WHEREAS, the parties agree that the exhibits or portions of the exhibits listed on Exhibit  
8 A were admitted into evidence, but do not waive any objections that were asserted at the time  
9 those exhibits were moved into evidence at trial;

10 IT IS HEREBY STIPULATED by and between the parties, through their counsel of  
11 record, that the attached Exhibit A reflects the exhibits admitted into evidence on November 1, 2,  
12 and 5, 2007.

13 Dated: November 6, 2007

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15 Mark S. Arisohn  
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24 By: /s/ Anthony J. Harwood  
25 Anthony J. Harwood

26 Attorneys for Lead Plaintiff  
27 Connecticut Retirement Plans and Trust  
28 Fund

1 Dated: November 6, 2007

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7 By: /s/ Philip T. Besirof  
Philip T. Besirof

Attorneys for Defendants JDS Uniphase  
Corporation, Charles Abbe, Jozef Straus,  
and Anthony Muller

11 Dated: November 6, 2007

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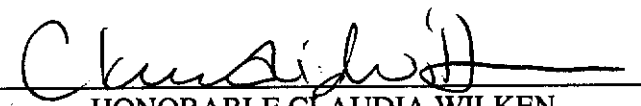
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20 By: /s/ Howard S. Caro  
Howard S. Caro

Attorneys for Defendant  
Kevin Kalkhoven

24 IT IS SO ORDERED.

26 Dated: November 7, 2007

  
HONORABLE CLAUDIA WILKEN  
United States District Court Judge

GENERAL ORDER 45 ATTESTATION

I, Philip T. Besirof, am the ECF User whose ID and password are being used to file this Stipulation and [Proposed] Order Regarding Trial Exhibits Admitted November 1, 2, and 5, 2007. In compliance with General Order 45, X.B., I hereby attest that Anthony J. Harwood, attorney for Lead Plaintiff Connecticut Retirement Plans and Trust Funds, and Howard S. Caro, attorney for Defendant Kevin Kalkhoven, have concurred in this filing.

Dated: November 6, 2007

MORRISON & FOERSTER LLP

By: /s/ Philip T. Besirof

Philip T. Besirof

Counsel for Defendants JDS Uniphase  
Corporation, Charles Abbe, Jozef Straus, and  
Anthony Muller

Exhibit A

UNITED STATES DISTRICT COURT  
for the Northern District of California  
Exhibits Admitted on November 1, 2 and 5, 2007

Case No. 02-1486  
Case Name: In re JDS Uniphase Corp. Sec. Litigation

EXHIBIT NUMBER	DESCRIPTION	PAGES ADMITTED	SPONSORING WITNESS	DATE		INTRO BY	TRANSCRIPT PAGE
				Offered	Admitted in Evidence		
31	E-mail re: Q2	JDSU 876884-876885	Straus	11/5/2007	11/5/2007	P	1554
39	E-mail re: Q2 Inventory Increase and attached inventory summary	JDSU 877337	Straus	11/5/2007	11/5/2007	P	1577
43	E-mail re: Lucent Story and attached "Lessons from Lucent"	JDSU 2094249-2094254	Straus	11/5/2007	11/5/2007	P	1574
54	E-mail re: Organization Announcement - SCM	JDSU 337806-337807	Russell	11/1/2007	11/1/2007	P	1121
86	E-mail re: Inventory Levels	JDSU 919604	Straus	11/5/2007	11/5/2007	P	1579
113	E-mail re: MetroPoint Status and attached PowerPoint: Network Products MetroPoint Program Status"	JDSU 1133779-1133780, 1133782, 1133792- 1133793	Straus	11/5/2007	11/5/2007	P	1590
127	Transcript of 04/25/00 JDSU Conference Call	Cover, 1-16	Straus	11/5/2007	11/5/2007	D	1457 11/6/2007 Slip
275	Transcript of 07/26/00 JDS Uniphase Coprtoration Conference Call	Cover, 1-17	Straus	11/5/2007	11/5/2007	D	1466 11/6/2007 Slip
307	E-mail re: Q4 Revenue Exposure And Issues Update	JDSU 931268-931269	Straus	11/5/2007	11/5/2007	P	1618
423	Form 144 Notice of Proposed Sale of Securities for Harry Deffebach	Cover, 1-2	Deffebach	11/1/2007	11/1/2007	P	1119
490	Form 4 Statement of Changes in Beneficial Ownership for Harry Deffebach	Cover, 1-3	Deffebach	11/1/2007	11/1/2007	P	1119
635	E-Mail re: Thomas Pitre Retention Issue	JDSU 204068	Russell	11/1/2007	11/1/2007	P	1121
928	Exhibit C - Summary Inflation per Subperiod	1	Hakala	11/1/2007	11/1/2007	P	1214
929	Exhibit F - Insider Selling Damages	1	Hakala	11/1/2007	11/1/2007	P	1214
930	10/26/2000 - Audio Recording JDSU Conference Call	Complete Audio	n/a	10/29/2007 11/2/2007	10/29/2007 11/2/2007	P	10/29/2007 Slip 1341

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				Offered	Admitted in Evidence		
931	1/25/2001 - Audio Recording JDSU Conference Call	Complete Audio	n/a	10/29/2007 11/2/2007	10/29/2007 11/2/2007	P	10/29/2007 Stip 1341
932	4/25/2000 - Audio Recording JDSU Conference Call	Complete Audio	n/a	10/29/2007 11/2/2007	10/29/2007 11/2/2007	P	10/29/2007 Stip 1342
933	7/26/2000 - Audio Recording JDSU Conference Call	Complete Audio	n/a	10/29/2007 11/2/2007	10/29/2007 11/2/2007	P	10/29/2007 Stip 1342
934	Exhibit F- Rebuttal Insider Selling Damages-Dollar Drop Method	1 of 2 - 2 of 2	Hakala	11/2/2007	11/2/2007	P	1232
935	Exhibit C - Summary Inflation per Subperiod Using Dollar Changes	1	Hakala	11/2/2007	11/2/2007	P	1232
937	2/13/2001 - Audio Recording JDSU Conference Call	Complete Audio	n/a	10/29/2007	10/29/2007	P	10/29/2007 Stip
938	4/24/2001 - Audio Recording JDSU Conference Call	Complete Audio	n/a	10/29/2007	10/29/2007	P	10/29/2007 Stip
1711	4/25/2000 E-mail from J. Straus to R. Bush re: "RHK Charts"	JDSU 919792, 919798, 919819, 919825	Straus	11/5/2007	11/5/2007	D	1460
1786	6/14/2000 E-mail from K. Crawford to Executive Team et al re: "Financial/Operating Committee Review Package"	JDSU 925305-925307, 925314, 925318	Straus	11/5/2007	11/5/2007	P	1598
1866	7/20/2000 E-mail from K. Crawford to J. Abbe et al re: "Operations Committee Presentation July 2000"	JDSU 1138175-1138176, 1138219	Straus	11/5/2007	11/5/2007	P	1598
1896	7/28/2000 E-mail from A. Cobb to J. Straus et al re: "Additional Board Materials"	JDSU 1357040, 1357050, 1357053, 1357056-1357057, 1357060	Straus	11/5/2007	11/5/2007	D	1473
1911	8/7/2000 E-mail from W. Verneire to J. Straus et al re: "Your phone call with Mike Parton (Marconi) tomorrow"	JDSU 7486189-7486190	Straus	11/5/2007	11/5/2007	D	1483

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				Offered	Admitted in Evidence		
1922	8/11/2000 E-mail from A. Cobb to S. Lybik et al. re: "August 8th, Corvis meeting follow up"	JDSU 936266-936268	Straus	11/5/2007	11/5/2007	D	1485
1956	8/30/2000 E-mail from P. Moore to D. King et al. re: "Lucent and 40 GB/s - Support Required from Affected BUs"	JDSU 917660-917661	Straus	11/5/2007	11/5/2007	D	1488
1972	9/11/2000 E-mail from P. Moore to J. Abbe et al. re: "Nortel 2001 projections (Action Required)"	JDSU 927141-927142	Straus	11/5/2007	11/5/2007	D	1490
1996	9/25/2000 E-mail from J. Carlson to J. Straus re: "1310 EML"	JDSU 918495-918496	Straus	11/5/2007	11/5/2007	D	1494
2031	I. Nolan forwards a global sales account presentation from S. Parker for delivery to J. Straus ahead of the Oct 2000 BoD meeting	JDSU 2271985-2271988, 2271990-2271992, 2271994-2272000	Straus	11/5/2007	11/5/2007	D	1497
2051	10/20/2000 E-mail from M. Tavares to J. Straus et al. re: "Nortel Supplier Forum - Oct. 19"	JDSU 922379-922380	Straus	11/5/2007	11/5/2007	D	1510
2085	11/3/2000 E-mail from M. Tavares to J. Straus et al. re: "Nortel - Ken Bradley's Supplier Conference Call"	JDSU 933794	Straus	11/5/2007	11/5/2007	D	1513
2136	12/18/2000 E-mail from J. Straus to T. Muller et al. re: "Selected Industry Reports"	JDSU 1282576, 1282646- 1282647, 1282651, 1282656, 1282697- 1282699, 1282714- 1282715	Straus	11/5/2007	11/5/2007	D	1517
2171	1/18/01 E-mail from A. Reynders to J. Straus et al. re: "Nortel 4Q Results Conference Call"	JDSU 7479447-7479448	Straus	11/5/2007	11/5/2007	D	1531
2190	1/25/2001 E-mail from P. Moore to S. Parker et al. re: "Nortel Opps/Trends in CY01 to CY03"	JDSU 921233	Straus	11/5/2007	11/5/2007	D	1531



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				Offered	Admitted in Evidence		
2191	1/25/2001 E-mail from P. Moore to L. Paoletti et al. re: "K. Bradley Conf Call Highlights"	JDSU 7384808	Straus	11/5/2007	11/5/2007	D	1534
2194	1/29/2001 E-mail from J. Straus to D. Bossi et al. re: "Ciena business"	JDSU 917101-917102	Straus	11/5/2007	11/5/2007	D	1536
2575	1998 JDS Fitel Annual Report "Understanding Advantage"	Cover, 4	Straus	11/5/2007	11/5/2007	D	1439
3086	4/25/2000 Email from I. Nolan to K. Kalkhoven re RHK Charts	JDSU 2280476	Straus	11/5/2007	11/5/2007	D	1541